

LATEST NEWS BY TELEGRAPH AND CABLE, CONTINUED FROM PAGE SIX.

PLAIN TRUTHS

PLAINLY TOLD

Congressman Lentz at Mohawk Club Banquet.

HE DEALS WITH TRUSTS

Responds to the sentiment, "Tell the Truth About Germany and Reform the Philippines After We Reform the Beef Trusts and Other Trusts."—The Washington Administration Saved—Schley and Miles Lauded.

(By Telegraph to Virginian-Pilot.)

Detroit, Mich., March 30.—Four hundred Detroit Democrats, with a considerable company of ladies, enjoyed to-night the third annual banquet of the Mohawk Club, the leading Silver Democratic organization of Michigan. The large auditorium of the Harmonic Clubhouse, in which the dinner was served, was gay with patriotic decorations. A life sized portrait of Colonel William Jennings Bryan was a conspicuous feature. Letters of regret from Colonel Bryan and others were read.

Hon. Thomas E. Barkworth, Democratic candidate for Justice of the State Supreme Court, responded to the toast, "Partisanship and the Judiciary, are they Always Inseparable?"

The principal response of the evening was by Congressman John Lentz, of Ohio, to the sentiment, "Reform—The Trusts, First and the Philippines Afterward."

THE TRUTH TOLD.

The Hon. John J. Lentz, of Ohio, responded to the sentiment, "Tell the Truth About Germany and Reform the Philippines After We Reform the Beef Trusts and Other Trusts." He said in part:

"If it is the duty of a government to protect its citizens from the diseases of the body which result from unclean streets, how much more it is the duty of a government to protect the brain from diseases which result from unclean wells of information.

"Let but one side of any case be presented to a jury, and of course a verdict will always be brought in accordingly. So the American people are like a jury, and if selfish and designing men possessed of great wealth or political power are permitted to CONTROL and ABUSE the newspapers of the country, it will be easy for them to CONTROL and USE the PEOPLE of the country. One of the curses of the day is the fact that a newspaper lie, will travel around the earth while truth is putting on her boots. There is no better illustration of this than the floods of lies with reference to the conduct of Germany during the war with Spain.

PROPOSED BRITISH ALLIANCE.

"In order to promote a British alliance and prejudice this country against Germany, France, Russia and other European powers, it was repeatedly asserted that England refused to join in the note to the President in April, 1898, suggesting further negotiations for peace. The truth is that the Ambassadors of the six powers prepared and signed the note at the British Embassy, and went together to the President, to whom Sir Julian Pauncefote, Ambassador for Great Britain, made a few remarks and delivered the note.

"Notwithstanding this the English and American press reviled in such poisoned gloved hand of England holds Europe from attacking the United States, and even now the attitude of Germany is uncertain. Such slanders as these against Germany were common, in spite of the fact that the German Secretary of Postal Affairs had just announced that Germany will shortly begin the laying of a separate cable to the United States."

THE TRADE OF GERMANY.

"The British Consular Journal had observed that Germany was continually extending her trade; that her exports for the first quarter of 1898 had increased \$18,000,000, while the British exports had decreased \$9,000,000. It is not strange that our Cousin John Bull should begin to devise ways and means of putting a stop to these cable and commercial connections between the United States and Germany, and the rest of the world, which threatened his commercial supremacy. He reasoned that 'A chain is no stronger than its weakest link,' and the United States will be no stronger than its weakest and most remote island possession. He remembered that Lincoln had said: 'All the armies of Europe, Asia and Africa combined, with a Napoleon for commander, could not by force take a drink from the Ohio river or make a track on the Blue Ridge Mountains in a trial of one thousand years.'

JOHN BULL'S HOPE.

"The Evening Telegram, of Toronto, stated John Bull's hope in these words: 'England will, of course, be favorable, because every colonial accession to the United States weakens the Republic toward us. With Porto Rico and the Philippines threatened by the unequalled sea power of Great Britain, Canada will no longer be considered by the United States as a hostage for English good behavior in America, nor will twisting the lion's tail be a pastime to Irish politicians at Washington as it has in the past.'

GERMANY AT MANILA.

"Accordingly the English press continued comments of which the following from the Chronicle, of Newcastle, is a fair sample: 'The German Admiral Diederichs, has been lending such moral support to General Augusti at Manila that it is openly stated by those on the spot that the place would not now have capitulated had it not been for the encouragement afforded by the presence of the Germans.' To such venom and poison as this the American newspapers gave free circulation, with conspicuous and emphatic headlines. 'It is true a German boat did carry the Spanish Governor Augusti from Manila to Hong Kong last summer; but why couldn't America also receive the information that Dewey and Merritt both gave their consent before Diederichs permitted Augusti to go aboard? It is true the Germans had a ship or

two more than England or France in Manila bay, but the extra ships were there to take home the 1,700 of Diederichs' old, well trained sailors and gunners, two-thirds of his best and most experienced men, in exchange for which he received 1,700 men who had never been aboard a man of war and had never fired a gun. In the face of this one fact, it is infamous to suggest that Diederichs or the German Emperor desired or expected a conflict with such an adversary as Dewey. These facts could easily have been given out by the State, or the Navy Department, or the Chief Executive, while making political speeches in the West, the South, and New England.

A QUESTION. "Why could not this administration, while decorating the graves of the Southern dead for political purposes, have also dropped in a word of two of explanation for patriotic purposes and relieved the people of thoughts of new graves and all the horrors of war with Germany? For that would not have been a war with Spain.

LINCOLN AND MCKINLEY.

"The contrast between Abraham Lincoln and William McKinley grows wider and wider every day. It was Lincoln who could say 'Let us have but one war at a time.' It was William McKinley who could remain impotent and silent throughout this campaign of falsehood and malice against Germany.

ENEMIES AT HOME.

"It has been the trick of European powers to get into war with each other whenever the masses of the people began to consider and discuss the 'rights of man.' And so I fear in this country the administration became so thoroughly alarmed at the awakening which took place in 1896, that they have sought refuge temporarily from their impending fate by hiding their greedy purposes behind war clouds. We shall have more than enough to do if we turn our falling guns on the public enemies at home.

EAGAN'S CASE.

Why did the President prefer Eagan to make contact with the beef trust? Why did the court have found Eagan unworthy of a commission, didn't the President at least reduce him below the 133 officers who ranked Eagan less than a year ago? Then he was drawing a salary of \$4,000 a year and as a lieutenant colonel his pay would have been \$3,000 a year for the rest of his life. What other reason except Presidential favor and the love of the beef trust can be given for paying Eagan \$5,600 a year the next six years, and \$4,125 for the remainder of his life? Is it to demonstrate that wages have been increased and that prosperity has come, or merely that Eagan may sing that good old song, 'He Certainly Was Good to Me'?

JUDGED BY ITS FRUITS.

"A tree is to be judged by its fruit, a man is known by the company he keeps, and this must apply to Presidents as well as other citizens. The whitewashed commission has relieved Alger, and the President has regarded Eagan; little remains to the people but to say the army scandals are now up to Mr. Corbin and the President. How is it and why is it that in their mismanagement of the army there were 44 deaths among the killed and wounded and 5,277 deaths by disease, while in the navy there was but 18 deaths among the killed and wounded, and not a single death by disease? Let us turn our attention to our own affairs, and make it impossible for politicians and horse doctors to disgrace and destroy the army in the future.

DEFENSE OF MILES.

"Without any training at West Point, General Miles offered his life for the Union in 1861. Every step and every degree of promotion was won on fields of battle and not by court favor at Washington. To-day we see Lincoln's major general insulted and repudiated by William McKinley for telling the truth about the beef trusts. A government that loves its soldiers more than it loves the beef trust, should know that living cattle could follow the canoes easier than hungry men could follow refrigerators. The diseases and deaths in our camps demonstrate that something was criminally wrong. 'We unto you scribes and Pharisees, hypocrites for ye are like unto whitewashed sepulchres which indeed appear beautiful outward, but are within full of (5,277) dead men's bones and of all uncleanness.'—23Matt., 27.

SCHLEY AND SAMPSON.

"Witness the abortion and miscarriage in the case of Schley and Sampson. It was Schley who discovered Cervera and it was Schley who destroyed his fleet. It was Miles who brought Toral to terms of surrender and it was Miles who conquered the Spaniards in Porto Rico almost without loss of a life.

"Eagan, Corbin and Sampson, who were never near a fight, are promoted and rewarded. Schley and Miles, who while in the line without sacrificing our own soldiers, are discredited and slandered. Is this war or is this politics? Is this Spain's 'sense of justice'? Is this America's 'national honor'? Let the memories of Jackson and Lee, of Grant and Sherman answer?"

OTHER RESPONSES.

Other responses were by ex-Congressman J. R. Whiting, Charles S. Hampton, secretary of the Democratic State Committee, and Stanley E. Parkhill, candidate for regent of Michigan University.

A DESTRUCTIVE FIRE.

COLUMBIA CITY HALL AND OPERA HOUSE BURNED.

(By Telegraph to Virginian-Pilot.)

Columbia, S. C., March 30.—At 7 o'clock this evening the big City Hall and Opera House was discovered in flames and burned to the ground, together with the adjoining building occupied by the Postal Telegraph Company. The fire started on the theatre stage, and in a few minutes had enveloped the entire building. The aggregate loss is about \$70,000, with \$35,000 insurance. The city police headquarters, electric fire telephone station, stores beneath, lodge and library rooms were all totally destroyed. Practically nothing was saved. By hard work the Carolina National Bank building and Western Union office were saved, though all telegraphic communication with the outside world was cut off for several hours. Fortunately there were no prisoners in the police station, and but few people in the building. Several other buildings caught, but were quickly extinguished. The building was erected during reconstruction days, and its original cost ran into the hundreds of thousands. There were no serious casualties.

THE SUPREME COURT

Decisions Handed Down in Four Interesting Cases.

Not Criminal For Oyster Planters to Dredge on Private Grounds—Nelson and Wife vs. Maryland Life Insurance Company.

(Special to Virginian-Pilot.)

Richmond, Va., March 30.—The Supreme Court of Appeals to-day handed down decisions in four cases. The case of greatest importance is that which decides that it is not criminal for any oyster planter to dredge for oysters on his private ground.

The question comes up in the case of Somers vs. The Commonwealth. The court holds, in an opinion by Judge Rely, that dredging on such ground ceases to be criminal with the passage of the act of March 3, 1898.

The case came to the Supreme Court from the County Court of Accomac. The opinion says that the act of April 28, 1857 (Acts extra session 1857, p. 118) and the act of March 3, 1898 (Acts 1897-8, p. 456) amendatory thereof, among other things contained a provision against dredging on private oyster ground, even by the owner of the planted oysters, prescribing a penalty for each violation. Neither of the above acts is affected by the adoption of the Code of 1887. By the act of March 3, 1898 (Acts 1897-9, p. 745) the act of March 3, 1858, and section 213 of the Code are amended and re-enacted, and while the provision against dredging is retained there is no penalty prescribed for its violation.

The court holds that the later act was intended to be a repeal of all parts and provisions of the statutes amended, which were omitted from it. It is necessarily implied that what is left out is no longer in force. The judgment of the lower court is reversed, and the warrant against the plaintiff in error for dredging on his private ground is dismissed.

FRAUD AND MISREPRESENTATION.

Nelson and Wife v. Turner et al., and Nelson and Wife v. Maryland Life Insurance Company et al., were two cases decided together. They came up from the Circuit Court of Fauquier county. Questions of alleged fraud and misrepresentation were involved.

In September, 1888, T. J. Packwood and his wife conveyed to Peter Wise a tract of land to hold as in fee provided he performed his covenants and paid to Packwood, or to his wife if she survived him, an annuity of \$2,400, payable semi-annually, and that upon the death of the grantors Wise convey the land to Joseph H. Nelson, and to convey the land to Packwood, or his wife if she survived him, upon default of Nelson continuing ten days, in the payment of an installment of the annuity. Wise simply held the property in trust for Nelson. Nelson paid the annuity until the death of Packard in December, 1891, and then filed a bill against his widow, Louisa Packard, praying that the deed be set aside because of the fraud and misrepresentation of Mrs. Packard to her age. He asked that the parties be placed in statu quo by crediting him with the annuities paid and charging him with rents and profits during his occupancy.

To this Mrs. Packard answered, asking that Nelson's bill be treated as a cross bill, denying the fraud, charging that Nelson had defaulted in payment of the annuity, and asking the rescission of the contract, and the reconveyance of the land to her in accordance with the terms of the deed, and the trust.

On the 16th of November, 1893, the Fauquier Circuit Court, by consent of the parties, entered a decree annulling the contract and doing and restoring the parties to their original status by requiring Nelson and his wife to reconvey the land to Mrs. Packwood, who was required to pay back all the money paid her by Nelson in annuities, subject to a credit for rents and profits during his occupancy of the land.

The Maryland Insurance Company sought to subject the land to the payment of judgments which it had against him, but it failed, as he no longer had any interest in the land. The Supreme Court says the case should not have been continued on the docket.

A further ground of error assigned was that the proceeds of the sale of land by A. D. Payne, trustees, under the deed given to secure a debt of \$1,000 to Lewis Porter, were misapplied in being appropriated to the payment of that debt instead of to the satisfaction of a prior lien in favor of H. R. Garden, commissioner. It was contended that the estates of Payne and Porter should be held to account for the proceeds of the sale. The opinion holds that there is no merit in this contention. Whether or not the land bought from A. D. Payne by O. M. Hiner will have to contribute to the lien in favor of H. R. Garden cannot be determined until the land primarily bound for that lien is sold.

DECLARATIONS IN ASSUMPSIT.

The decree of the lower court is reversed, and the cause remanded for further proceedings in accordance with the views expressed in the opinion. Judge Harrison wrote the opinion.

THE ELGIN SAW WORKS, OF ELMIRA, N. Y.,

will remove their plant to Norfolk and locate on the Berkeley side of the river at the junction of Tenth street and the Norfolk and Western railroad, where they will manufacture and repair all kinds of Circular Saws.

not waived nor lost because he had permitted similar pleas to be filed without objection, nor by his filing a replication to the joint pleas after his objection to them had been overruled. The judgment of the lower court is therefore reversed.

SUIT FOR MALICIOUS PROSECUTION.

The Court, in an opinion by Judge Keith, P., affirms the judgment of the Law and Equity Court of Richmond in the case of Jones vs. Morris.

On April 5, 1897, Dr. A. C. Jones, the quarantine officer at Newport News, sued out a warrant in that city for the arrest of J. C. Morris, of Richmond, on the charge of stealing \$40 from him. Morris was arrested in Richmond and had a hearing before the Police Court of this city. He was acquitted and discharged. Thereupon, Morris sued Dr. Jones for malicious prosecution, and the jury found a verdict for \$1,500. Dr. Jones appealed and lost his case.

Morris was the captain of a tugboat owned and controlled by a tugboat company in command of the tugboat Henry Christian, and went to the office of the owner of it, the plaintiff in error, and was told by him that his services were no longer needed, as he intended to place Captain Lawrence in charge of the tug. There was a balance due Morris, but Dr. Jones said he couldn't settle at that time.

Subsequently, Morris, while still master of the vessel, collected \$40 due for towage, and he claimed the right to retain out of this fund the balance due him. Dr. Jones refused to accept any part of the money unless the whole was turned over to him. Jones finally yielded to the extent of allowing Morris to retain the balance of \$240 due him on his December salary. Later on, Dr. Jones had Morris arrested charged with theft. The court's opinion says that there was not the shadow of reason to charge Morris with larceny and that it is difficult to perceive how any reputable lawyer could have advised his arrest if a full disclosure was made of the circumstances connected with the transaction.

SUMMARY.

Keith—Jones vs. Morris, Law and Equity Court, City of Richmond. Affirmed.

Rely—Somers vs. Commonwealth, County Court of Accomac county. Reversed.

Buchanan—Spencer's administrator vs. Field and Gray, Circuit Court of Culpeper county. Reversed.

Harrison—Nelson and wife vs. Turner et al., Circuit Court of Fauquier county. Reversed.

Southern Railway Company vs. Cooper, Corporation Court of Danville. Writ of error and supersedeas. Bond, \$1,500.

Hough vs. Umbaugh, Circuit Court of Loudoun county. Writ of error and supersedeas. Bond, \$1,000.

Dawes vs. N. Y. P. and N. R. Co., Petition to rehear. Petition refused.

Todd vs. McFall, Petition to rehear. Petition rejected.

Norfolk and Western Railway Company vs. Old Dominion Baggage Company, Further argued and submitted.

American Net and Twine Company vs. Mayo and others, Argued by P. A. Agelasto for appellant and Judge D. Tucker Brooke for appellees and continued until to-morrow.

BERKLEY.

Miss Jennie Howard, who has been engaged in teaching school at Camden, N. C., is in town to spend the Easter holidays.

Mr. H. Goodman has returned from Baltimore, where he spent several days purchasing his spring stock.

Mr. C. J. Colonna blocked the cradle of his railway yesterday to haul the transport steamer John W. Garrett, owned by the Norfolk and Southern Railroad Co. next Saturday. The Garrett is the largest and longest boat Mr. Colonna has ever had occasion to haul. Her length is 360 feet and she will carry 27 cars at a time.

William Jennings, the son of Mr. and Mrs. B. H. Darden, is quite sick at their home on Washington street.

Mr. T. L. West invites attention to the immense line of shoes he purchased for his spring trade. They are in all styles and of best quality. He has one of the best assorted stocks ever handled in the town.

Dr. P. L. Gordon, of Camden, N. C., was in town yesterday on his way to Richmond.

Mrs. P. Pritchard, of 146 street, is visiting in Richmond.

Mr. O. Gordon returned yesterday afternoon from Edenton, N. C., where he spent several days.

Dr. G. A. Thompson, a former resident and druggist of this place, but now of New Bern, is in town calling on friends.

The choir of Chestnut Street M. E. Church will have their final Easter music practice to-night at 9 o'clock. The organist requests that all the members be present.

The citizens in the vicinity of Berkeley avenue, from Main to Second streets, complain of its condition, as it has become impassable. They think that if a sufficient number of loads of oyster shells were dumped on this thoroughfare that its condition would be greatly improved.

The work of macadamizing Liberty streets was resumed yesterday after being suspended for several days on account of the rain.

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